



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/178,249	10/23/98	JIN	C YI-26111

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EXAMINER

LEE, G

ART UNIT

PAPER NUMBER

2825

DATE MAILED: 12/15/99

Please find below and/or attached an Office communication concerning this application or
proc ding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/178,249

Applicant(s)

Jin et al.

Examiner

Granvill Lee

Group Art Unit
2825



☐ Responsive to communication(s) filed on _____

☐ This action is FINAL.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1 _____ is/are pending in the application

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1 _____ is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

Art Unit:

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claim 1 is rejected under 35 U.S.C. 102(a) as being anticipated by Smith et al.(US. Pat. 5,955,140).

Smith et al. discloses forming thin films or layers using a dielectric precursor (aerogel or xerogel) (Col. 3 line 21-25). Smith et al. continues by suggesting that sol-gel techniques forming aerogel or xerogel films require some form of atmospheric control "above the wafer" (Col. 4 line 24-32). The atmosphere consists of the vapor-phase of ammonia used as a catalyst to form a thin dielectric film layer (Col. 8 line 44-55). In summary, the precise control of film thicknesses (Col. 3 line 49-51), the use of gel materials for thin film dielectric applications (Col. 3 line 19-24), and the offer of a viable replacement for common semiconductor dielectrics (Col. 2 line 17-20), is compatible with current technology, promising, and anticipated under Smith et al.(Col. 2 line 5-17).

Art Unit:

Conclusion


3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure are US. Pat. 5,378,790 5,063,003 & 5,922,299.

4. Any inquiry concerning this communication from examiner should be directed to Granvill Lee whose telephone number is (703) 306-5865. The examiner can normally be reached by telephone on Monday to Thursday 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Bowers, can be reached on (703) 308-2417. The fax phone number for the group is (703) 308-7722.

gl

December 8, 1999


Charles Bowers
Supervisory Patent Examiner
Technical Center